



Luann G. Welmer, Clerk-Treasurer

**CITY COUNCIL MEETING  
CITY HALL  
TUESDAY, DECEMBER 16, 2014  
6:00 O'CLOCK P.M.**

**I. Meeting Called to Order**

- A. Opening Prayer
- B. Pledge of Allegiance
- C. Roll Call
- D. Acceptance of Minutes

**II. Unfinished Business Requiring Council Action**

- A. Second Reading of an Ordinance entitled "ORDINANCE NO.\_\_\_\_, 2014, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF COLUMBUS, INDIANA, REZONING THE SUBJECT PROPERTY FROM "AP" (AGRICULTURE: PREFERRED) TO "P" (PUBLIC/ SEMI-PUBLIC FACILITIES)." (Church of Jesus Christ of Latter Day Saints) Jeff Berman
- B. Second Reading of an Ordinance entitled "ORDINANCE NO.\_\_\_\_, 2014, AN ORDINANCE APPROVING AN AMENDMENT TO THE COLUMBUS AIRPARK FINAL PLANNED UNIT DEVELOPMENT PLAN." (Columbus AirPark PUD) Jeff Bergman

**III. New Business Requiring Council Action**

- A. First Reading of an Ordinance entitled "ORDINANCE NO.\_\_\_\_, 2014, AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, TO AMEND CHAPTER 2.22.030 OF THE COLUMBUS CITY CODE, COLUMBUS FIRE DEPARTMENT, OVERTIME COMPENSATION." Mayor Brown

#### **IV. Other Business**

- A. Standing Committee and Liaison Reports
- B. The next regular meeting is scheduled for **Monday, January 5, 2015  
2015, 6:00 p.m. in City Hall.**
- C. Adjournment



## MEMORANDUM

**TO:** Columbus City Council Members

**FROM:** Jeff Bergman, AICP  
on behalf of the Columbus Plan Commission

**DATE:** November 25, 2014

**RE:** RZ-14-12 (*Church of Jesus Christ of Latter Day Saints Rezoning*)

At its November 12, 2014 meeting, the Columbus Plan Commission reviewed the above referenced application and forwarded it to the City Council with a favorable recommendation by a vote of 10 in favor and 0 opposed.

This proposed rezoning is a companion application to the annexation request for the same property (ANX-14-04) that the Council initially considered at its November 5 meeting. Please recall that the Church of Jesus Christ of Latter Day Saints intends to construct a worship facility at this location. The property is currently zoned "AP" (Agriculture: Preferred), which only allows a worship facility as a conditional use. A worship facility would be a permitted use in the proposed "P" (Public / Semi-Public Facilities) zoning district.

The "P" zoning district is what is known as a "site development plan" district, meaning that the Plan Commission has the authority to review and approve the details of any proposed development of the property. Also at their November 12 meeting, the Plan Commission reviewed and approved the site development plan for the worship facility at this location. That approval is contingent upon the completion of the annexation and rezoning processes.

No members of the public spoke in opposition to the rezoning at the Plan Commission public hearing. However, the Plan Commission did receive a letter from the Tipton Lakes Association expressing concern about traffic and road conditions in the area. The Plan Commission did have a lengthy discussion of how best to accommodate the church-related traffic during the site development plan review portion of their hearing and did reach an agreement with the applicant on access to the property.

The following items of information are attached to this memo for your consideration:

1. the proposed ordinance approving the rezoning,
2. the resolution certifying the action of the Plan Commission,
3. a copy of the Plan Commission staff report,
4. a location map, and
5. Images of the proposed worship facility provided by the applicant.

Please feel free to contact me if you have any questions regarding this matter.

ORDINANCE NO.: \_\_\_\_\_, 2014

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP  
OF COLUMBUS, INDIANA, REZONING THE SUBJECT PROPERTY  
FROM "AP" (AGRICULTURE: PREFERRED)  
TO "P" (PUBLIC / SEMI-PUBLIC FACILITIES)**

**To be known as the: Church of Jesus Christ of Latter Day Saints Rezoning  
Plan Commission Case No.: RZ-14-12**

**WHEREAS**, this rezoning was requested by the Church of Jesus Christ of Latter Day Saints and includes the consent of all owners of the subject property; and

**WHEREAS**, the Columbus Plan Commission did, on November 12, 2014, hold a legally advertised public hearing on said request and has certified a favorable recommendation to the Common Council; and

**WHEREAS**, the Common Council of the City of Columbus, Indiana has considered the criteria contained in Section 12.6(G) of the Columbus & Bartholomew County Zoning Ordinance.

**NOW THEREFORE BE IT ORDAINED** by the Common Council of the City of Columbus, Indiana, as follows:

**SECTION 1: Official Zoning Map**

The zoning classification of the following described real estate, which is in the zoning jurisdiction of the City of Columbus, Indiana, shall be changed from "AP" (Agriculture: Preferred) to "P" (Public / Semi-Public Facilities):

*Lot number one (1) in the "Willoughby – McIntyre Administrative Subdivision" as recorded in Plat Book "P", Page 194B in the Bartholomew County Recorder's Office.*

**SECTION 2: Commitment(s)**

No commitments are attached to this rezoning.

**SECTION 3: Repealer**

All ordinances or parts thereof in conflict with this ordinance shall be repealed to the extent of such conflict.

**SECTION 4: Severability**

If any provision, or the application of any provision, of this ordinance is held unconstitutional or invalid the remainder of the ordinance, or the application of such provision to other circumstances, shall be unaffected.

**SECTION 5: Effective Date**

This ordinance shall be effective upon and after the date and time that companion ordinance \_\_\_\_, 2014 annexing the subject property to the City of Columbus is filed and recorded.

ADOPTED, by the Common Council of the City of Columbus, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2014 at \_\_\_\_\_ o'clock \_\_\_\_\_.m., by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

\_\_\_\_\_  
Presiding Officer

ATTEST:

\_\_\_\_\_  
Luann Welmer  
Clerk-Treasurer of the City of Columbus, Indiana

Presented to me, the Mayor of Columbus, Indiana, the \_\_\_\_\_ day of \_\_\_\_\_, 2014 at \_\_\_\_\_ o'clock \_\_\_\_\_.m.

\_\_\_\_\_  
Kristen S. Brown  
Mayor of the City of Columbus, Indiana

**RESOLUTION: RZ-14-12**

**of the City of Columbus, Indiana Plan Commission**

regarding

**Case number RZ-14-12**

**(Church of Jesus Christ of Latter Day Saints Rezoning),**

**a proposal to rezone +/-4.20 acres from**

**AP (Agriculture: Preferred) to P (Public / Semi-Public Facilities)**

**WHEREAS**, the Plan Commission has received the application referenced above from the Church of Jesus Christ of Latter Day Saints; and

**WHEREAS**, the applicant(s) represent 100% of the property owners involved in the rezoning request, which meets the requirements of IC 36-7-4-602(c); and

**WHEREAS**, the Plan Commission did, on November 12, 2014, hold a public hearing consistent with the applicable requirements of Indiana law, the Columbus & Bartholomew County Zoning Ordinance, and the Plan Commission Rules of Procedure; and

**WHEREAS**, the Plan Commission did pay reasonable regard to the criteria contained in Section 12.6(G) of the Columbus & Bartholomew County Zoning Ordinance; and

**WHEREAS**, the Plan Commission recognizes that its action on this matter represents a recommendation to the Common Council of the City of Columbus, Indiana, which will be responsible for final action on the request.

**NOW THEREFORE BE IT RESOLVED**, by the Plan Commission of the City of Columbus, Indiana, as follows:

- 1) The rezoning of the property subject to the application (approximately 4.20 acres generally located on Goeller Boulevard, east of County Road 350 West) is forwarded to the Common Council with a favorable recommendation, contingent upon the completion of the annexation process for the same property (Plan Commission Case ANX-14-04).
- 2) This resolution shall serve as the certification required for such ordinance amendments (re-zonings) by IC 36-7-4-605.

**ADOPTED BY THE COLUMBUS, INDIANA PLAN COMMISSION THIS 12<sup>th</sup> DAY OF NOVEMBER 2014 BY A VOTE OF 10 IN FAVOR AND 0 OPPOSED.**

Signed Copy on File in the Planning Department

Roger Lang, President

**ATTEST:**

Signed Copy on File in the Planning Department

David L. Fisher, Secretary

ORDINANCE NO.: \_\_\_\_\_, 2014

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP  
OF COLUMBUS, INDIANA, REZONING THE SUBJECT PROPERTY  
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\_\_\_\_\_  
Presiding Officer

**ATTEST:**

\_\_\_\_\_  
Luann Welmer  
Clerk-Treasurer of the City of Columbus, Indiana

Presented to me, the Mayor of Columbus, Indiana, the \_\_\_\_\_ day of \_\_\_\_\_, 2014 at \_\_\_\_\_ o'clock \_\_\_\_\_.m.

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Kristen S. Brown  
Mayor of the City of Columbus, Indiana



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**WHEREAS**, the applicant(s) represent 100% of the property owners involved in the rezoning request, which meets the requirements of IC 36-7-4-602(c); and

**WHEREAS**, the Plan Commission did, on November 12, 2014, hold a public hearing consistent with the applicable requirements of Indiana law, the Columbus & Bartholomew County Zoning Ordinance, and the Plan Commission Rules of Procedure; and

**WHEREAS**, the Plan Commission did pay reasonable regard to the criteria contained in Section 12.6(G) of the Columbus & Bartholomew County Zoning Ordinance; and

**WHEREAS**, the Plan Commission recognizes that its action on this matter represents a recommendation to the Common Council of the City of Columbus, Indiana, which will be responsible for final action on the request.

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- 2) This resolution shall serve as the certification required for such ordinance amendments (re-zonings) by IC 36-7-4-605.

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Signed Copy on File in the Planning Department

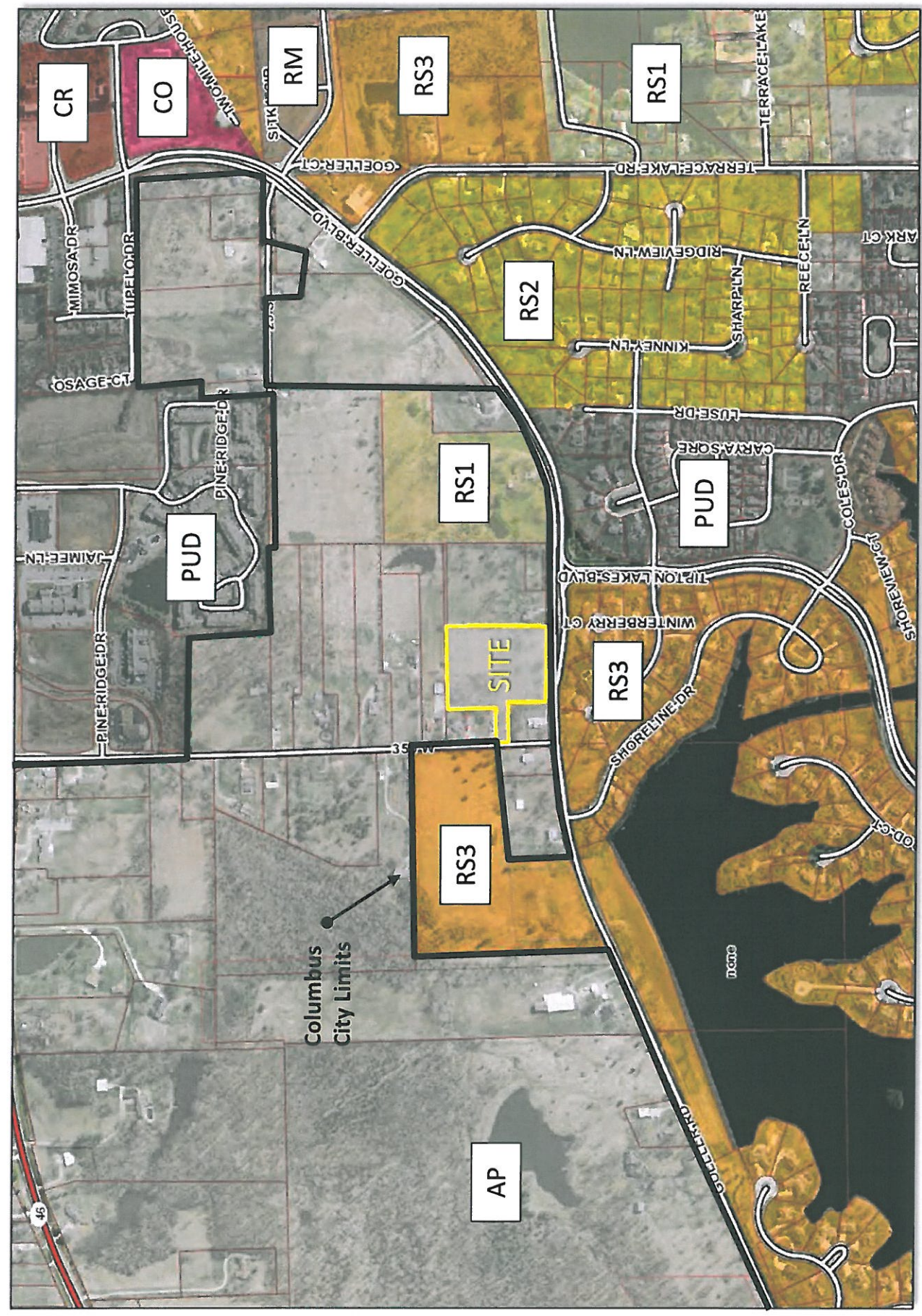
Roger Lang, President

**ATTEST:**

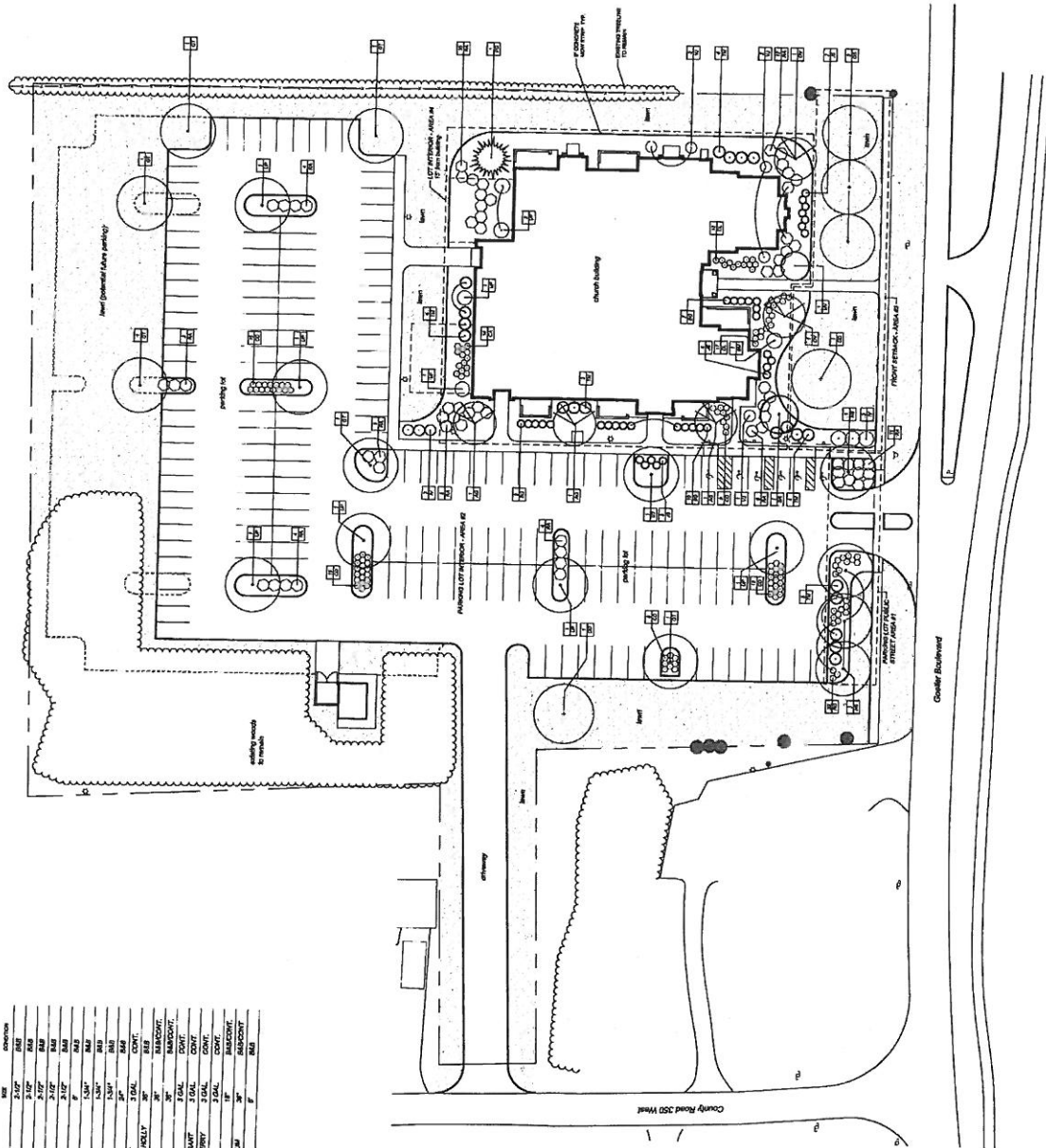
Signed Copy on File in the Planning Department

David L. Fisher, Secretary

# Property Location & Surrounding Zoning





[illegible]



# *Independence 170-230-230 SC*







## MEMORANDUM

**TO:** Columbus City Council Members

**FROM:** Jeff Bergman, AICP  
on behalf of the Columbus Plan Commission

**DATE:** November 25, 2014

**RE:** *PUD-14-09 (Columbus AirPark Preliminary PUD Plan Modification - InfoTech Park Concept)*  
*PUD-14-10 (Columbus AirPark Final PUD Plan Modification - InfoTech Park Uses)*

At its November 12, 2014 meeting, the Columbus Plan Commission reviewed the above referenced applications and forwarded each to the City Council with favorable recommendations by votes of 10 in favor and 0 opposed.

The Columbus Board of Aviation Commissioners has proposed revisions to the Columbus AirPark Planned Unit Development (PUD), which governs land use and development for the Columbus Municipal Airport's non-aviation properties. The PUD was originally approved by the City Council in 2008, and has been amended twice previously. Those two previous amendments changed the requirements for parking at the education campus and added student housing as a permitted use.

Please recall that a PUD is a set of uniquely written zoning regulations for a specific area that result from a process of negotiation between a developer and the Plan Commission and City Council. The establishment of a PUD requires a 2-step approval process. During the first step the "Preliminary PUD Plan", which represents the overall concept for the area is approved. The second step results in the approval of the "Final PUD Plan" which adds details such as permitted land uses and requirements for landscaping, signs, building setbacks, etc. Typically the Preliminary PUD Plan materials are submitted first, with the Final PUD materials developed later based on the Preliminary approval.

The Airport Board is requesting to amend the AirPark PUD to include additional commercial and outdoor recreation uses, primarily on the west side of the property in a subarea identified by the PUD as the InfoTech Park. This represents a change to the originally approved concept documented by the Preliminary PUD Plan. Therefore the desired change necessitates 2 requests – one to amend the concept expressed in the Preliminary PUD Plan and the second to modify the details of the Final PUD Plan.

In addition, the Airport Board is requesting to delete unnecessary details regarding land uses and signs from the Preliminary PUD Plan. They are also seeking to amend the Final PUD Plan's detailed requirements for landscaping, signs, and lighting.

At the November 12, 2014 Plan Commission meeting Airport Board representatives indicated that the changes were the result of a comprehensive review of the PUD regulations based on the past 6 years of development experience with those regulations. Many of the proposed changes to the development standards (landscaping, lighting, etc.) more closely aligned the provisions of the PUD with the standards set by the Zoning Ordinance for other properties in Columbus. In no instance do the changes proposed

by the Airport Board create standards for the PUD that are less restrictive than those that apply to the rest of the City.

Approximately 3 property owners from the neighborhoods around the Airport spoke at the Plan Commission public hearing. They primarily expressed concerns about the unknowns associated with allowing outdoor recreation uses along the west side of the airport property and north of Cunningham Drive. The Airport Board agreed to the Plan Commission request that these uses be made "conditional", rather than "permitted" by the PUD. As conditional uses they require additional, case-by-case scrutiny from the Columbus Board of Zoning Appeals in a public hearing prior to any development.

Please note that the amendments to the Preliminary and Final PUD Plans are two separate requests and will require two separate actions by the City Council. The material is combined in this packet for the sake of efficiency. The following items of information, as well as a location map, are attached to this memo for your consideration:

Preliminary PUD Plan:

1. the proposed resolution approving the amendments to the Preliminary PUD Plan,
2. the resolution certifying the action of the Plan Commission on the Preliminary PUD Plan,
3. a copy of the staff report on the Preliminary PUD amendments used by the Plan Commission,
4. the proposed Preliminary PUD text showing changes in red,

Final PUD Plan:

5. the proposed ordinance approving the amendments to the Final PUD Plan,
6. the resolution certifying the action of the Plan Commission on the Final PUD Plan,
7. a copy of the staff report on the Final PUD amendments used by the Plan Commission, and
8. the proposed Final PUD text showing changes in red.

Please feel free to contact me if you have any questions regarding this matter.

RESOLUTION NO.: \_\_\_\_\_, 2014

**A RESOLUTION APPROVING AN AMENDMENT TO THE  
COLUMBUS AIRPARK PRELIMINARY PLANNED UNIT DEVELOPMENT PLAN**

**To be known as the: Columbus AirPark PUD InfoTech Park Concept Modification  
Plan Commission Case No.: PUD-14-09**

**WHEREAS**, on May 7, 2008 the Columbus City Council approved the Columbus AirPark Preliminary PUD Plan; and

**WHEREAS**, that Preliminary PUD Plan has served as the conceptual basis for the subsequent Final PUD Plan and Rezoning, and therefore also for all of the land use regulation and development on the property; and

**WHEREAS**, the Columbus Board of Aviation Commissioners, which represents more than 50% of the land involved in the request consistent with Indiana Code 36-7-4-602(c)(1)(B), now requests a modification of the previously approved Preliminary PUD Plan for the purpose of updating the concept for the development of the Columbus AirPark; and

**WHEREAS**, the Columbus Plan Commission did, on November 12, 2014, hold a legally advertised public hearing on said request and has certified a favorable recommendation to the Common Council; and

**WHEREAS**, the Common Council of the City of Columbus, Indiana has considered the criteria contained in Section 5.3(D)(3) of the Columbus & Bartholomew County Zoning Ordinance.

**NOW THEREFORE BE IT RESOLVED** by the Common Council of the City of Columbus, Indiana, that the amendments to the Columbus AirPark Preliminary PUD Plan listed below are approved:

- a) The InfoTech Park Intent and Purpose text is replaced in its entirety with the following: "The purpose of the InfoTech Park is to provide appropriate land area to accommodate tech, commercial, and sports related activities for AirPark tenants and local residents. This area will accommodate businesses both local and regional in scale. InfoTech Park should be developed so as to reflect a relatively moderate-to-high aesthetic design."
- b) The "Proposed Lane Uses", "Proposed Schedule of Uses", and the Signage "Location" and "Type & Requirements" text, including the associated table, are deleted.
- c) The "Location of Landscaping" text is amended to delete the second sentence regarding the natural massing of landscaping.

**ADOPTED**, by the Common Council of the City of Columbus, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2014 at \_\_\_\_\_ o'clock \_\_\_\_\_.m., by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

\_\_\_\_\_  
Presiding Officer

**ATTEST:**

\_\_\_\_\_  
Luann Welmer  
Clerk-Treasurer of the City of Columbus, Indiana



Presented to me, the Mayor of Columbus, Indiana, the \_\_\_\_\_ day of \_\_\_\_\_, 2014 at  
\_\_\_\_\_ o'clock \_\_\_\_\_.m.

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Kristen S. Brown  
Mayor of the City of Columbus, Indiana

**RESOLUTION: PUD-14-09**

**of the City of Columbus, Indiana Plan Commission**

regarding

**Case number PUD-14-09**

**(Columbus Airpark PUD InfoTech Park Concept Modification),  
a proposal to amend the previously approved  
Columbus AirPark Preliminary Planned Unit Development Plan  
with regard to the concept for the InfoTech Park Subarea**

**WHEREAS**, on May 7, 2008 the Columbus City Council approved the Columbus AirPark Preliminary PUD Plan; and

**WHEREAS**, that Preliminary PUD Plan has served as the conceptual basis for the subsequent Final PUD Plan and Rezoning, and therefore also for all of the land use regulation and development on the property; and

**WHEREAS**, the primary property owner, the Columbus Board of Aviation Commissioners, now requests a modification of the previously approved Preliminary PUD Plan for the purpose of updating the concept for the development of the Columbus AirPark; and

**WHEREAS**, the applicant(s) represent more than 50% of the land involved in the request, which is consistent with the requirements of Indiana Code 36-7-4-602(c)(1)(B); and

**WHEREAS**, the Plan Commission did, on November 12, 2014, hold a public hearing consistent with the applicable requirements of Indiana law, the Columbus & Bartholomew County Zoning Ordinance, and the Plan Commission Rules of Procedure; and

**WHEREAS**, the Plan Commission did pay reasonable regard to the criteria contained in Section 5.3(D)(3) of the Columbus & Bartholomew County Zoning Ordinance; and

**WHEREAS**, the Plan Commission recognizes that its action on this matter represents a recommendation to the Common Council of the City of Columbus, Indiana, which will be responsible for final action on the request.

**NOW THEREFORE BE IT RESOLVED**, by the Plan Commission of the City of Columbus, Indiana, as follows:

- 1) The proposed amendment of the Columbus AirPark Preliminary PUD Plan as described below is forwarded to the Common Council with a favorable recommendation.
  - a) The InfoTech Park Intent and Purpose text is replaced in its entirety with the following:  
"The purpose of the InfoTech Park is to provide appropriate land area to accommodate tech, commercial, and sports related activities for AirPark tenants and local residents. This area will accommodate businesses both local and regional in scale. InfoTech Park should be developed so as to reflect a relatively moderate-to-high aesthetic design."
  - b) The "Proposed Land Uses", "Proposed Schedule of Uses", and the Signage "Location" and "Type & Requirements" text, including the associated table, are deleted.
  - c) The "Location of Landscaping" text is amended to delete the second sentence regarding the natural massing of landscaping.
- 2) This resolution shall serve as the certification required for Preliminary PUD Plan amendments by Columbus & Bartholomew County Zoning Ordinance Section 5.3(D)(5).

ADOPTED BY THE COLUMBUS, INDIANA PLAN COMMISSION THIS 12<sup>th</sup> DAY OF,  
NOVEMBER 2014 BY A VOTE OF 10 IN FAVOR AND 0 OPPOSED.

Signed Copy on File in the Planning Department

Roger Lang, President

**ATTEST:**

Signed Copy on File in the Planning Department

David L. Fisher, Secretary

**ORDINANCE NO. \_\_\_\_\_, 2014**  
**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF COLUMBUS,**  
**INDIANA, TO AMEND CHAPTER 2.22.030 OF THE COLUMBUS CITY CODE,**  
**COLUMBUS FIRE DEPARTMENT, OVERTIME COMPENSATION**

**WHEREAS**, Indiana Code 36-1-3 et. seq. confers upon units of government within the State of Indiana such powers as necessary or desirable to conduct the affairs of local government;

**WHEREAS**, Indiana Code 36-4-6-18 authorizes the Common Council of the City of Columbus, Indiana to pass such ordinances, orders, resolutions and motions as may be necessary and proper for the governmental unit to fulfill and satisfy the responsibilities and duties of said governmental unit; and

**WHEREAS**, it is the desire of the Common Council to provide for the appropriate overtime procedures for the various departments and its personnel.

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF  
THE CITY OF COLUMBUS, INDIANA, AS FOLLOWS:**

**Section I.** Chapter 2, Section 22, Subsection 30 of the Columbus City Code, is hereby amended to read as follows:

**2.22.030 Overtime compensation.**

A. Any and all personnel practices and policies that are inconsistent with the provisions and requirements of the Fair Labor Standards Act of 1938 are repealed.

B. The city of Columbus adopts a workperiod of twenty-eight days, commencing on January 2, 1998, and continuing in perpetuity thereafter unless modified by ordinance of the common council of the city of Columbus, Indiana, for the purpose of computing overtime compensation for qualified fire personnel.

C. Qualified ~~F~~fire ~~P~~ersonnel are defined as all sworn public employees playing an integral part in firefighting operations, receiving firefighting training and holding a position with a rank at or below Battalion Chief and Lieutenant working a 24 hour shift.

D. The base pay per workperiod of ~~Q~~qualified ~~F~~fire ~~P~~ersonnel shall include compensation for two-hundred and twenty-four hours. For actual time worked in excess of two-hundred and twelve hours and up to and including two-hundred and twenty-four hours, qualified fire personnel shall receive additional hourly compensation at a rate of one-half of regular hourly wages. For actual

time worked in excess of two-hundred and twenty-four hours, qualified fire personnel shall receive additional hourly compensation at a rate of one and one-half times regular hourly wages. Such overtime compensation shall be in lieu of any and all compensatory time.

E. The city, in order to increase its efficiency and cost effectiveness, shall be granted full discretion in scheduling qualified fire personnel to work, and in granting vacation and sick leave.

**Section II.** All prior ordinances or parts thereof inconsistent with any provision of this Ordinance are hereby repealed.

**Section III.** This Ordinance shall be in full force and effect for the time comprising the pay of January 16, 2015 from and thereafter ~~its passage and approval~~ as provided by law.

**ADOPTED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, on this the \_\_\_\_ day of \_\_\_\_\_, 2014, by a vote of \_\_\_\_ ayes and \_\_\_\_ nays.**

\_\_\_\_\_  
Kristen Brown, Mayor  
Presiding Officer of the Common Council

**ATTEST:**

\_\_\_\_\_  
Clerk of the Common Council of Columbus, Indiana  
Luann Welmer

Presented by me to the Mayor of Columbus, Indiana, this \_\_\_\_ day of \_\_\_\_\_, 2014 at \_\_\_\_ o'clock \_\_\_\_m.

\_\_\_\_\_  
Luann Welmer  
Clerk-Treasurer

Approved and signed by me this \_\_\_\_ day of \_\_\_\_\_, 2014 at \_\_\_\_ o'clock \_\_\_\_m.

\_\_\_\_\_  
Kristen Brown  
Mayor of the City of Columbus, Indiana